

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

TAVARES HUNT, LEE MCCORKER,
BRUCE GILES, JOSE H. ROMERO, and
GEORGE CORTEZ,

Plaintiffs,

-vs-

THOMAS DART, in his Official Capacity as
Sheriff of Cook County, COUNTY OF COOK,
ILLINOIS, a local public entity under the laws of the
STATE OF ILLINOIS, MICHAEL MILLER,
Superintendent of Division 10 at Cook County Jail,
Avery Hart, Medical Director of Cook County Jail, and
J. LANG,

Defendants.

Case No.: 09-cv-02071

Hon. Matthew F. Kennelly

**DEFENDANT J. LANG'S RESPONSE TO DEFENDANTS' JOINT MOTION
TO SEVER COUNT II OF FOURTH AMENDED COMPLAINT**

Defendant, J. Lang (hereinafter "Lang"), by her attorneys, Timothy J. Young, Lisa M. Taylor and Ruth E. Goldwater McCoy of Lewis Brisbois Bisgaard & Smith, LLP, hereby submits the following response to Defendants, Thomas Dart's, Michael Miller's, Dr. Avery Hart's, and the County of Cook's (collectively, the "Defendants") Joint Motion to Sever Count II of Plaintiffs' Fourth Amended Complaint:

Lang submits that it is premature at this point in the case at bar to consent to Defendants' Joint Motion to Sever Count II of Plaintiffs' Fourth Amended Complaint given that, pursuant to Lang's pending Federal Rules of Civil Procedure Rule 12(b)(6) Motion to Dismiss, Lang believes that Plaintiffs have failed to allege a viable claim against Lang. However, if this Honorable Court is not inclined to grant Lang's Rule 12(b)(6) Motion to Dismiss, based upon the

reasons provided in Defendants' Joint Motion to Sever Count II of Plaintiffs' Fourth Amended Complaint, Lang has no objection to severing Count II of Plaintiffs' Fourth Amended Complaint.

Respectfully submitted,

J. Lang

By: /s/ Ruth E. Goldwater McCoy
One of Her Attorneys

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